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PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Kaneyoshi HAYASHI
Serial. No. : 09/981,541
Filing Date : 10/15/2001
For : RUBBER COMPOSITION
Examiner : James J. Seidleck
Art Unit : 1711

OFFICIAL

Honorable Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL DECLARATION OF KANEYOSHI HAYASHI
UNDER 37 CFR §1.132

I, Kaneyoshi Hayashi, a citizen of Japan, do hereby declare the followings:

1. This declaration supplements my prior declaration (the "Prior Declaration"), which is incorporated herein by reference, the Prior Declaration made on April 30, 2004, and filed in the present application on May 11, 2004. This declaration addresses the issue of why the test compositions reported in the Prior Declaration comprised 105 phr of a rubber composition, while the Example 1 composition in the Yau patent, U.S. Pat. No. 5,080,942, comprised 120 phr of a rubber composition.

2. Example 1 of the Yau patent recites a composition including 120 phr of "Polysar" XC-955, which is noted to be an Oil-extended EPDM Rubber. On information and

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LAW OFFICE OF GRIECCI

2004年 6月29日

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belief, information is not available to me as to how much oil is contained in the Polysar XC-955, or what is the actual content of rubber in the Polysar XC-955.

3. Using my expertise, as discussed in the Prior Declaration, I have estimated that the 105 phr of EP98, provides an actual content of rubber composition more closely comparable to the actual content of rubber in 120 phr of Polysar XC-955, than would 120 phr of EP98. Therefore, the experiments were conducted in the most appropriate condition for comparison to the cited art, to the best of my knowledge and experience.

4. Additionally, on information and belief, the oil-extended EPDM (Polysar XC-955) has the same properties of resistance against chlorine or chloride attack as EP98, because the added oil of the Polysar XC-955 is neutral with regard to protection of rubber from chlorine or chloride attack.

5. Based on my knowledge and experience as one of skill in the art, it is my opinion that results similar to the foregoing would be obtained with other formulations within the scope of the claims. It is also my opinion that similar results would also be obtained for other compositions prepared in accordance with the teachings of the prior art.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

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United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

29 JUN 2004

Date

Kaneyoshi HAYASHI

Kaneyoshi HAYASHI

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SHOBAYASHI, PATENT

2004年 6月29日 16:53